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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/145,680	09/02/1998	THIRU SRINIVASAN	1480(42059-0	6253
25231	7590	09/02/2005	EXAMINER	
MARSH, FISCHMANN & BREYFOGLE LLP 3151 SOUTH VAUGHN WAY SUITE 411 AURORA, CO 80014			DUONG, DUC T	
			ART UNIT	PAPER NUMBER
			2663	

DATE MAILED: 09/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/145,680

Applicant(s)

SRINIVASAN, THIRU

Examiner

Duc T. Duong

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 09 June 2005.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-12 and 20-31 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 12 and 30 is/are allowed.
- 6) ☒ Claim(s) 1-11, 20-29 and 31 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 September 1998 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. §§ 119 and 120**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All   b) ☐ Some \*   c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 112***

1. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

2. Claims 1-11, 20-29, and 31 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Regarding to claims 1 and 20, there does not appear to be a written description of the amended claim limitation **“both in a current session and in previous session”**. Examiner find nothing in the specification teaches of such limitation. Furthermore, applicant does not provided as to where in the specification support of such limitation in the Remark/Argument section of the amendment. Thus, applicant amendment to the claims has added new matter.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

4. Claims 1-3, 5-10, 20-22, 24-29, and 31 are rejected under 35 U.S.C. 102(e) as being anticipated by Dekelbaum et al (US Patent 5,838,682).

Regarding to claim 1, Dekelbaum discloses a communication system (Fig. 1A-B), comprising computer based data network 130/140 (Fig. 1A-B; the ISDN network 140 and the Internet 130 collectively form a computer-based data network) containing information which is accessible by system users 8a-c in connection with the data network 130/140 (Fig. 1A col. 8 lines 61-67); a server 102 in connection with the data network 130/140 (Fig. 1B), comprising a website (Fig. 6 col. 12 lines 1-8) accessible by the system users 8a-c over the data network 130/140, where the web page includes an audio communications interface 230 (hyperlinks) for selectively establishing an audio connection (Fig. 6 col. 12 lines 8-11) via the computer-based data network 130/140 between the system user 8a-c and an available service agent 110a-c (Fig. 3 col. 11 lines 5-10), by the system user 8a-c placing a telephone call via the computer based data network 130/140 to the available service agent 110a-c (Fig. 7 col. 12 lines 12-22) and a processor (implicitly shown) which processes the audio communication between the system user 8a-c and the service agent 110a-c (Fig. 1B col. 12 lines 23-37), and

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receives and stores in memory (implicitly shown) a version of at least one web page from the website which the system user 8a-c has viewed (col. 14 lines 19-28), wherein the at least one web page includes a web page which the system user is currently viewing as well as any web pages which the system user 8a-c has previously viewed in a particular domain (col. 14 lines 28-34); a telephone system 106 which receives the audio communication from the processor and assigns it to the service agent 110a-c (Fig. 1A col. 11 lines 56-67); and a service agent interface 112, which upon assignment of the audio communications to the service agent 110a-c, receives a broadcasted, interactive version of the at least one web page from the processor (Fig. 1B col. 11 lines 34-41).

Regarding to claim 20, Dekelbaum discloses an apparatus for providing communication between a system user 8a-c with access to a computer-based data network 130/140 (the ISDN network 140 and the Internet 130 form a data network) and an available service agent 110a-c (Fig. 1A-B), comprising a server 102 in connection with the data network 130/140 (Fig. 1B), comprising a website (Fig. 6 col. 12 lines 1-8) accessible by the system users 8a-c over the data network 130/140, where the web page includes an audio communications interface 230 (hyperlinks) for selectively establishing an audio connection (Fig. 6 col. 12 lines 8-11) via the computer-based data network 130/140 between the system user 8a-c and an available service agent 110a-c (Fig. 3 col. 11 lines 5-10), by the system user 8a-c placing a telephone call via the computer based data network 130/140 to the available service agent 110a-c (Fig. 7 col. 12 lines 12-22) and a processor (implicitly shown) that provides an audio

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communication to a remotely located telephone system 106 (Fig. 1B col. 12 lines 23-37) and stores in memory (implicitly shown) a version of at least one web page from the website which the system user 8a-c has viewed (col. 14 lines 19-28) and any web pages previously viewed in a particular domain (col. 14 lines 28-34); and upon establishment of the audio communications to the service agent 110a-c, reconstructs and broadcasts the web page to a service agent interface 112 (Fig. 1B col. 11 lines 34-41).

Regarding to claims 2 and 21, Dekelbaum discloses the data network 130/140 is the worldwide web (col. 12 lines 1-8; HTML implied world wide web).

Regarding to claims 3 and 22, Delkelbaum discloses links 230 (Fig. 6 col. 12 lines 8-11) included in the version of the web pages, which the system user 8a-c is viewing and has viewed are active and provide access to the data network 130/140 (col. 14 lines 28-34).

Regarding to claims 5 and 24, Dekelbaum discloses the telephone system 106 is a PBX system, which assigns telephone connections based on the service agent 110a-c availability (Fig. 1B col. 11 lines 10-15).

Regarding to claims 6 and 25, Delkabaum discloses the telephone connection is established through Surf&Call technology (Fig. 7 col. 12 lines 38-46).

Regarding to claims 7 and 26, Dekelbaum discloses the interactive version of the at least one web page is delivered to the service agent using PUSH technology (col. 15 lines 7-13).

Regarding to claim 8, Dekelbaum discloses the service agent user interfaces 112 and the automated telephone system 106 are incorporated into a local area network LAN 124 (Fig. 1B col. 11 lines 31-39).

Regarding to claims 9 and 27, Dekelbaum discloses user interfaces 10a-c which the system users employ to connect with the data network 130/140 include a system user web browser plug-in which converts the at least one web page to HTML language (Fig. 1A col. 12 lines 1-8).

Regarding to claims 10 and 28, Dekelbaum discloses the service agent interfaces 112 include a service agent web browser plug-in 120 for receiving the broadcasted, interactive version of the at least one web page (Fig. 1B col. 14 lines 28-34).

Regarding to claim 29, Dekelbaum discloses the system user web browser includes an ID for the system users in the converted web pages in a message to the processor (col. 14 lines 19-25) and at least one of hypertext links, I.P. address, cookies, log-in I.D., password, Java applets, and any hidden HTML tags along with the listed information for each of the web pages visited by the system user under the domain (col. 7 lines 32-47).

Regarding to claim 31, Delkelbaum discloses a communication system (Fig. 1A-B), comprising computer based data network 130/140 (the ISDN network 140 and the Internet 130 form a data network) containing information which is accessible by system users 8a-c in connection with the data network (Fig. 1A col. 8 lines 61-67); a call center 100 having a plurality of service agents 110a-c, each having a computer-based device

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110a-c (the enclosed devices 110a-c of the dotted line are computer-based devices) for communicating via the Internet 130 via a server 102 connected to the Internet 130 (Fig. 1B col. 11 lines 31-41), wherein the server 102 has a plurality of web pages that can be accessed by the system user (Fig. 6 col. 12 lines 1-8); wherein at least one of the web pages includes an icon 230 (hyperlinks) located that can be selected by the system user 8a-c (col. 12 lines 8-11) to placed a telephone call via the computer based data network 130/140 from the computer-based devices 8a-c of the system user to the computer-based device 110a-c of an available service agent (col. 12 lines 11-21).

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 4 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dekelbaum.

Regarding to claims 4 and 23, Dekelbaum discloses the reconstructed web pages include hypertext links, login ID, any hidden HTML tags, and Java applets (col. 14 lines 19-34). But, Dekelbaum fails to teach the reconstructed web pages include IP address, password, and cookies. However, to arrange such web pages to include IP address, password, and cookies would have been obvious to a person of ordinary skill in the art. The Examiner takes office notice that these parameters of a web page are well known in the art.



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7. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable Dekelbaum in view of Sassin et al (U.S. Patent 6,449,260 B1).

Regarding to claim 11, Dekelbaum discloses all the limitation with respect to claim 1 includes converting a web page into hypertext links, IP address, cookies, login ID, password, any hidden HTML tags, and Java applets (col. 14 lines 19-34). But Dekelbaum fails to teach for the system user web browser 14a-c (Fig. 1A) includes the converted at least one web page into an E-mail message, which includes a Caller ID for the system user, along with the text and information visited by the system user under the domain. However, Sassin discloses an automatic call distribution system includes sending the converted of web page in an e-mail message to the web server 66 (processor), which includes an identification number (caller ID) along with other information required for accessing the message (col. 8 lines 31-49). Thus, it would have been obvious to a person of ordinary skill in the art to include the browser for converting of web page in an e-mail message as taught by Sassin in Dekelbaum's system to allows the agents to provide technical assistance regarding with products/services inquiry to customer that has no voice connection communication.

***Allowable Subject Matter***

8. Claims 12 and 30 are allowed.

The following is a statement of reasons for the indication of allowable subject matter: The prior art of record fails to teach or make obvious the step of or means for **“the E-mail message includes a plurality of information segments wherein the information segments include a length in bytes for the Caller ID; the Caller ID in**

**HTML; a length in bytes for each of the at least one web page; and the converted at least one web page”,** when such E-mail message is considered within the specific structure of the device recited in claims 12 and 30.

### ***Response to Arguments***

9. Applicant's arguments filed June 9, 2005 have been fully considered but they are not persuasive. Regarding to applicant's argument on pages 9-10, Dekelbaum fails to teach of web pages which user has previously viewed in particular domain both in current session and in previous session. In reply, as cited on col. 14 lines 21-33, Dekelbaum discloses the client's session history (previous session) displayed current web pages as well as preceding web pages. Dekelbaum further discloses, in col. 14 – 15, using the “push model” the client current session displayed the current web pages as well as previous web pages. Thus, based on the reasons set forth the rejections are maintained.

### ***Conclusion***

10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the

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shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Duc T. Duong whose telephone number is 571-272-3122. The examiner can normally be reached on M-F (9:00 AM-5:00 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ricky Q. Ngo can be reached on 571-272-3139. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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RICKY NGO  
PRIMARY EXAMINER

8/29/05